

Message Text

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ACTION L-03

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FM AMEMBASSY OSLO

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TAGS: PFOR CPRS NO CY

SUBJECT: EXTRADITION-- CONSTANTINOS ANASTASIOU SYNGRASSIDES

REF: OSLO 1689

BEGIN SUMMARY. SYNGRASSIDES HAS NOW FILED A DOLS 4.7 MILLION DAMAGE CLAIM IN CONNECTION WITH THE UNSUCCESSFUL ATTEMPT OF THE US TO HAVE HIM EXTRADITED, ACCORDING TO PRESS REPORTS. THE EMBASSY WILL IF QUERIED BY THE PRESS ISSUE A STATEMENT WHICH SEEKS TO CORRECT THE PRESS IMPRESSION THAT SYNGRASSIDES WAS UNJUSTLY ARRESTED AND WHICH ALSO ADDRESSES THE QUESTION OF THE RESPONSIBILITY OF THE US FOR REIMBURSING THE NORWEGIAN GOVERNMENT FOR THE DAMAGES IT MAY AWARD SYNGRASSIDES. END SUMMARY.

1. DAGBLADET, A LARGE- CIRCULATION OSLO DAILY WHICH LEANS TOWARD THE SENSATIONAL, GAVE FRONT- PAGE PROMINENCE ON JUNE 19 TO THE STORY THAT SYNGRASSIDES HAS FILED A CLAIM FOR COMPENSATION FROM THE NORWEGIAN STATE IN THE AMOUNT OF 25.8 MILLION KRONER (APPROX DOLS 4. 7 MILLION). THE SUM REPORTEDLY REPRESENTS HIS LOSSES AND EXPENSES AS A RESULT OF HIS " UNWARRANTED DETENTION" DURING THE EXTRADITION PROCEEDINGS.

2. THE DAGBLADET ARTICLE STATES THAT, AFTER THE NORWEGIAN COURT DETERMINES THE AMOUNT TO WHICH SYNGRASSIDES MAY

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BE ENTITLED, THE NORWEGIAN GOVT " WILL HAVE TO TRY TO HAVE THESE OUTLAYS REIMBURSED BY THE AMERICAN AUTHORITIES WHO ORIGINALLY DEMANDED EXTRADITION ." THE ARTICLE CONCLUDES WITH AN ERRONEOUS STATEMENT, ATTRIBUTED TO SYNGRASSIDES AND HIS NORWEGIAN ATTORNEY, THAT THE AMERICAN CONSUL WHO ATTENDED THE EXTRADITION HEARINGS " STATED AT THE FIRST COURT SESSION THAT THE SIZE OF THE CLAIM FOR DAMAGES GAVE NO CAUSE FOR FEAR ON THE PART OF THE NORWEGIAN AUTHORITIES AS THE RESPONSIBILITY FOR DAMAGES UNDER THE PROVISIONS OF THE EXTRADITION TREATY RESTS WITH THE AMERICAN AUTHORITIES."

3. PENDING RECEIPT OF THE GUIDANCE WHICH WE REQUESTED FROM THE DEPT ON MAY 4 (PARA 3 OF REFTEL) , THE EMBASSY WILL ISSUE THE FOLLOWING STATEMENT IF QUERIED BY THE PRESS:

BEGIN TEXT. A. MR. SYNGRASSIDES HAS BEEN INDICTED BY A FEDERAL GRAND JURY IN THE UNITED STATES ON SEVERAL CHARGES OF FRAUD. THE QUESTION OF HIS GUILT OR INNOCENCE OF THESE CHARGES CANNOT BE ADJUDICATED UNTIL HE HAS BEEN TRIED BY A COURT OF COMPETENT JURISDICTION, WHICH WILL CONSIDER THE EVIDENCE TO BE PRESENTED BY HIS ACCUSERS AND ANY DEFENSES HE MAY CHOOSE TO PRESENT. IT WAS TO PERMIT MR. SYNGRASSIDES TO BE TRIED BY SUCH A COURT THAT THE UNITED STATES REQUESTED HIS EXTRADITION UNDER THE TERMS OF THE TREATY OF 1893 BETWEEN THE UNITED STATES AND NORWAY. B. THE NORWEGIAN COURTS HAVE DETERMINED THAT THE TECHNICAL REQUIREMENTS OF THE 1893 TREATY HAVE NOT BEEN MET AND THAT MR. SYNGRASSIDES CANNOT, THEREFORE, BE EXTRADITED FROM NORWAY. WHILE UNITED STATES AUTHORITIES DIFFER WITH NORWEGIAN AUTHORITIES ON THE INTERPRETATION WHICH HAS BEEN PLACED ON THE TREATY IN THIS PARTICULAR INSTANCE, THE DECISION WAS CLEARLY ONE WHICH WAS WITHIN THE COMPETENCE OF THE NORWEGIAN COURTS TO MAKE. IT SHOULD BE NOTED, HOWEVER, THAT MR. SYNGRASSIDES WAS NOT ON TRIAL IN NORWAY AND THAT THE DECISION OF THE NORWEGIAN COURTS WAS NOT A RULING ON MR. SYNGRASSIDES' GUILT OR INNOCENCE. C. THE TREATY PROVIDES THAT THE EXPENSES FOR " ARREST, DETENTION, EXAMINATION AND DELIVERY" IN EXTRADITION CASES ARE BORNE BY THE REQUESTING PARTY. IT WAS THIS PROVISION OF THE TREATY TO WHICH THE U. S. CONSUL IN OSLO REFERRED LIMITED OFFICIAL USE

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WHEN A QUESTION OF EXPENSES WAS RAISED AT THE FIRST COURT HEARING. NO QUESTION OF " UNJUST IMPRISONMENT" AROSE AT THAT TIME. THE TREATY IS SILENT ON THE QUESTION OF THE REFUSAL OF ONE PARTY TO GRANT A REQUEST FOR EXTRADITION WHICH HAS BEEN MADE IN GOOD FAITH BY THE OTHER PARTY. UNDER THE CIRCUMSTANCES OF THIS CASE, HOWEVER, THE EMBASSY ASSUMES AT THIS TIME THAT ANY QUESTION OF COMPENSATION

IS STRICTLY BETWEEN MR. SYNGRASSIDES AND THE GOVERNMENT OF
NORWAY. END TEXT. DECON 12/31/73 CROWE

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